

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RENE MIRELES,
Plaintiff,
v.
C. KOENIG, et al.,
Defendants.


Case No. [20-cv-01248-HSG](#)

**ORDER SETTING BRIEFING
SCHEDULE FOR MERITS-BASED
SUMMARY JUDGMENT MOTION**

Plaintiff filed this *pro se* civil rights action pursuant to 42 U.S.C. § 1983. On August 31, 2021, the Court denied Defendants' motion for summary judgment for failure to exhaust administrative remedies. Dkt. No. 38. The Court ordered Defendants to inform the Court whether they wished to proceed with a limited evidentiary hearing regarding the exhaustion issue or to proceed with merits briefing. Dkt. No. 38 at 21. Defendants have elected to proceed with merits briefing. Dkt. No. 39. Accordingly, the Court sets the following briefing schedule. By December 27, 2021, Defendants shall file their dispositive motion. Plaintiff's opposition to the dispositive motion must be filed with the Court and served upon Defendants no later than 28 days from the date the motion is filed. Defendants shall file a reply brief no later than 14 days after the date the opposition is filed. The motion shall be deemed submitted as of the date the reply brief is due. No hearing will be held on the motion.

IT IS SO ORDERED.

Dated: 10/4/2021


HAYWOOD S. GILLIAM, JR.
United States District Judge